GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.

Public Services-Transport Department-Surprise Check conducted by the ACB on the O/o Deputy Transport Commissioner, Chittoor on 29.10.2007 on the allegations of corrupt practices-Disciplinary Action initiated against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor and six(6) other officials of O/o Dy.Tr.Commr., Chittoor- Case Entrusted to Commissioner Of Inquiries (COI-P) for Detailed Enquiry-Enquiry Conducted-Enquiry Report submitted- Imposition of Punishment of CENSURE against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor, and presently Record Assistant, O/o Deputy Transport Commissioner, Chittoor- Orders-Issued.

TRANSPORT, ROADS & BUILDINGS(VIG.TR.)DEPARTMENT

G.O.RT.No. 174 **Dated: 31-03-2016**

Read the following:

1)From the Director-General, Anti-Corruption Bureau, A.P., Hyderabad, Letter No.79/DES-TCT/2007, Dated:01.04.2008.
2)Govt.Memo No.5434/Vig.III/A2/2008-1, Dated:02.01.2009.
3)Charge Memo No.7904/V3/2007-5, Dated:07.02.2009 of Transport Commissioner, A.P., Hyderabad.
4)From Sri P.Murali, Record Assistant, O/o Deputy Transport Commissioner, Chittoor, Written Statement of Defence Dated:03.09.2009.
5)From the Transport Commissioner, A.P., Hyderabad, Letter No. 7904/V3/2007, Dated:16.04.2011.
6)G.O.Rt.No.650, T,R&B(Vig.III.2)Deptt., Dated:27.06.2012.
7)From General Administration(COI.P)Department, D.O.Letter No. 210/COI.P/2012-7, Dated:13.02.2014.
8)Govt.Memo No.5434/Vig.Tr./A2/2008-10, Dated:31.12.2014.
9)From the Transport Commissioner, A.P., Hyderabad, Letter No. 7904/V3/2007, Dated:21.05.2015.

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ORDER:

In the reference first read above, the Director-General, Anti-Corruption Bureau, A.P., Hyderabad submitted his Surprise Check Report, stating that a Surprise Check was conducted by the Bureau on 29.10.2007 on the Office of Deputy Transport Commissioner, Chittoor which revealed that the Officers and staff of the said Office are committing irregularities by employing unauthorized Private Persons as Agents while discharging their official duties and thereby indulging in corruption and has, therefore, recommended Departmental Action for Major Penalty against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor and six others of the O/o Dy.Tr.Commr., Chittoor.

Government, after careful examination of the matter, have requested the Transport Commissioner, A.P., in the reference second read above, to initiate Disciplinary Proceedings against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor, for certain irregularities committed by him. In pursuance of the above Instructions issued by the Government, the Transport Commissioner, A.P., Hyderabad has initiated Disciplinary Proceedings against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor by framing articles of charges in the reference third read above.

In the reference fourth above, Sri P.Murali, Record Assistant, O/o Deputy Transport Commissioner, Chittoor, submitted his Written Statement of Defence, denying the charges and requesting to drop further action. In the reference fifth read above, the Transport Commissioner, A.P., has requested the Government to entrust the case to the Commissionerate Of Inquiries for conducting Departmental Enquiry under Common Proceedings, since there are limited number of Officers above the rank of Deputy Transport Commissioner and large number of Enquiries are pending with them.

In the G.O. sixth read above, orders were issued appointing Dr.Prem Chand, IAS(Retd.), Commissioner of Inquiries, General Administration Department as Inquiring Authority to conduct Detailed Inquiry into the charges framed against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor and six(6) other Officers and staff of O/o Dy.Tr.Commr., Chittoor.

In the reference seventh read above, the Inquiring Authority submitted

his Enquiry Report, holding the charges against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor as PARTLY PROVED.

In the reference 8th read above, a copy of the Enquiry Report was communicated to the Charged Officer, Sri P.Murali, Record Assistant, O/o Deputy Transport Commissioner, Chittoor, for his Further Representation, if any.

Sri P.Murali, Record Assistant, O/o Deputy Transport Commissioner, Chittoor, submitted his Further Representation Dated:23.04.2015 received through the reference 9th read above, wherein, at the outset while denying the charges in toto, he has represented that perusal of the Report of the Learned Inquiry Authority revealed that the Learned Inquiry Authority held the part of the charge that he was collecting bribes by employing agents could not be established and the other part of the charge that he declared personal cash of Rs.90/- whereas he was found in possession of Rs.240/- was held as Proved; that, accordingly charges have been framed and he has submitted his explanation before the benevolent Enquiry Officer that the amount of Rs.240/- possessed by him is in accordance with G.O.Ms.No.200, Genl.Admn.(Ser.C) Deptt., Dt:26.03.2007; that the non-declaration is inadvertent and non-intentional since the amount is within the limits as per G.O.Ms.No.200, Genl. Admn.(Ser.C)Deptt., Dt:26.03.2007; that, in fact, as per the said G.O., the amounts less than Rs.500/- need not be declared., that further, mere omissions or lapses cannot be construed as Misconduct; that as seen from the observation coupled with the Finding of the Learned Inquiry Authority regarding the other part of the charge, he satisfactorily explained for the possession of the amount of Rs.240/-, but what is pointed out is that he failed to declare the same as a fresh entry in the Register., that mere non-declaration of personal cash cannot be construed as Misconduct warranting disciplinary action and at the best may be construed as a lapse., that every lapse cannot be considered as Misconduct; and he has prayed that his above submissions may kindly be considered sympathetically; that the Report of the Learned Inquiry Authority in respect of the charge of non-declaration of personal cash(making a fresh entry in the Register regarding carrying of additional amount) may be rejected and further action may be dropped against him in the interest of justice.

Government have examined the entire issue carefully and have observed that “the contentions raised by the Charged Officer are not tenable. In the instant case, it is noticed that the Charged Officer was found in possession of a meagre excess amount of Rs.90/- than the amount declared by him in the Personal Cash Declaration Register, as he was found with an amount of Rs.240/-, as against the amount of Rs.90/- declared by him on 29.10.2007 in the Personal Cash Declaration Register. He had pleaded that the said amount was held with him on genuine reasons that too for medical expenditure. He was found in physical possession of an excess cash of Rs.150/- which shows that he failed to maintain absolute integrity”. Therefore, Government have decided to accept the Finding of the Inquiring Authority, COI.P., in respect of Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor, and to inflict the punishment of CENSURE against the above named Charged Officer for his delinquency.

Accordingly, Government hereby impose the penalty of CENSURE against Sri P.Murali, the then Record Assistant, O/o Deputy Transport Commissioner, Chittoor, and presently Record Assistant, O/o Deputy Transport Commissioner, Chittoor.

The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Murali, Record Assistant, O/o Deputy Transport Commissioner, Chittoor
THROUGH the Transport Commissioner, A.P., Hyderabad.
The Transport Commissioner, A.P., Hyderabad.
Copy to:
1)The Director-General, Anti-Corruption Bureau, A.P., Hyderabad.
2)The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyderabad.
3)The General Administration(COI.P)Department, for information.

//FORWARDED:: BY ORDER//

SECTION OFFICER